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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

EZAKI GLICO KABUSHIKI KAISHA, d/b/a	:	Civil Action No. 15-5477-MCA-
EZAKI GLICO CO., LTD., and	:	LDW
EZAKI GLICO USA CORPORATION,	:	
Plaintiffs,	:	District Judge Madeline Cox Arleo
	:	Magistrate Judge Leda Dunn Wettre
v.	:	
	:	Return Date: November 5, 2018
LOTTE INTERNATIONAL AMERICA CORP.	:	Time: 10:00 a.m.
and LOTTE CONFECTIONERY CO. LTD.,	:	
Defendants.	:	ORAL ARGUMENT
	:	REQUESTED
	:	

**DECLARATION OF AARON S. OAKLEY IN FURTHER SUPPORT OF
PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON
DEFENDANTS' AFFIRMATIVE DEFENSES OF PRIOR USE AND FRAUD**

I, Aaron S. Oakley, declare as follows:

1. I am over the age of 18 and competent to testify in this matter.
2. I am a Senior Associate at the law firm of Hogan Lovells US LLP, counsel for Plaintiffs Ezaki Glico Kabushiki Kaisha, d/b/a Ezaki Glico Co., Ltd. and Ezaki Glico USA Corp. (collectively, “**Glico**”).
3. Except where explicitly stated below, I have personal knowledge of the facts set forth in this Declaration and, if called to testify as a witness, I can and will testify to these facts in court.
4. Attached as Exhibit 90 contains true and correct excerpts from the transcript of the deposition of Sung Sik Eum taken September 12, 2017.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on November 8, 2018.

By:



Aaron S. Oakley

Exhibit 90

CONFIDENTIAL- SUBJECT TO MOTION TO SEAL